



NOTIFICATION TO GUARDIAN OF MONITORING ACTIVITIES BY INDIANA DISABILITY RIGHTS

Please review this notification if you are the parent or guardian of a child living in a residential facility.

Indiana Disability Rights (IDR) is the federally-mandated protection and advocacy system for people with disabilities in Indiana. IDR operates under several federal laws to provide advocacy services to adults and children with disabilities.¹

Our federal regulations allow us to access residential facilities that provide services to people with disabilities for purposes of monitoring the conditions of the facility and to make sure the resident rights are being protected. During these monitoring visits, IDR staff is also allowed to speak with residents, such as your child or ward. The purpose of this notice is to let you know that IDR staff may be visiting the facility that is providing services to your child or ward. If IDR staff speaks with your child, he or she may end the conversation at any time. Please understand that IDR is not a licensing or oversight agency; our mission is to promote and protect the rights of individuals with disabilities living in residential facilities.

Although IDR staff may speak with your child during a monitoring visit, we will take no formal action or initiate any attorney-client relationship without getting your consent. IDR would only take action without your consent if we determine there is probable cause to believe that the health or safety of your child is in serious and immediate jeopardy and we have been unable to obtain your consent. (See 42 C.F.R. § 51.41(b)(3)).

If you have any questions or concerns about this notification, please contact IDR's Investigations Coordinator at 260-402-3332.

¹ IDR's federal authority is derived from several regulations including, but not limited to, the Developmental Disabilities Assistance and Bill of Rights (DD) Act of 2000, 42 U.S.C. § 15043 et seq.; the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act of 1986, as amended, 42 U.S.C. § 10801 et seq.; and the Protection and Advocacy of Individual Rights (PAIR) program of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794(e).

Equality Through Advocacy

The Protection and Advocacy System for the State of Indiana

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